

51990/R268

10/550,806

INTERNATIONAL APPLICATION NO.
PCT/US04/09645INTERNATIONAL FILING DATE
29 March 2004 (29.03.2004)PRIORITY DATE CLAIMED
29 March 2003 (29.03.2003)

TITLE OF INVENTION

METHOD AND APPARATUS FOR IMPROVED DATA TRANSMISSION

APPLICANT(S) FOR DO/EO/US

Mario Gerla, M. Yahya Sanadidi, Giovanni Pau, Ren Wang, Alex Balk, Dario Maggiorini, Kenshin Yamada, Rohit Kapoor, and Ling-Jyh Chen

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A power of attorney and/or change of address letter.
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821 - 1.825.
20. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. Express Mail Label No. EV 822344852 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																																																																																																										
10/550,806	PCT/US04/09645	51990/R268																																																																																																										
<p>23. Other items or information:</p> <p>Response to Notification of Defective Response Notification of Defective Response</p>																																																																																																												
<table border="1"> <tr> <td colspan="2">The following fees have been submitted:</td> <td>CALCULATIONS</td> <td>PTO USE</td> </tr> <tr> <td colspan="2">24. <input type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2">25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . . . \$0</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">All other situations. \$200</td> <td></td> <td></td> </tr> <tr> <td colspan="2">26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . . . \$0</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100</td> <td></td> <td></td> </tr> <tr> <td colspan="2">International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400</td> <td></td> <td></td> </tr> <tr> <td colspan="2">All other situations. \$500</td> <td></td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 24, 25 and 26 =</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/> +</td> <td>\$360.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="4">SUBTOTAL =</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED =</td> </tr> <tr> <td colspan="3" rowspan="2"></td> <td>Amount to be</td> </tr> <tr> <td>\$</td> </tr> <tr> <td colspan="3" rowspan="2"></td> <td>Amount to be</td> </tr> <tr> <td>\$</td> </tr> </table>			The following fees have been submitted:		CALCULATIONS	PTO USE	24. <input type="checkbox"/> Basic national fee		\$300	\$ 0.00	25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . . . \$0		\$	\$0.00	All other situations. \$200				26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . . . \$0		\$	\$0.00	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100				International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400				All other situations. \$500				TOTAL OF 24, 25 and 26 =		\$	\$0.00	<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	- 100 =	0 /50 =	0	x \$250.00	Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =	0	x \$50.00	Independent claims	- 3 =	0	x \$200.00	MULTIPLE DEPENDENT CLAIMS (if applicable)		<input type="checkbox"/> +	\$360.00	TOTAL OF ABOVE CALCULATIONS =				<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$	\$0.00	SUBTOTAL =				Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				TOTAL NATIONAL FEE =				Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property		\$	\$0.00	TOTAL FEES ENCLOSED =							Amount to be	\$				Amount to be	\$
The following fees have been submitted:		CALCULATIONS	PTO USE																																																																																																									
24. <input type="checkbox"/> Basic national fee		\$300	\$ 0.00																																																																																																									
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . . . \$0		\$	\$0.00																																																																																																									
All other situations. \$200																																																																																																												
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . . . \$0		\$	\$0.00																																																																																																									
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100																																																																																																												
International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400																																																																																																												
All other situations. \$500																																																																																																												
TOTAL OF 24, 25 and 26 =		\$	\$0.00																																																																																																									
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																																																																																												
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE																																																																																																									
- 100 =	0 /50 =	0	x \$250.00																																																																																																									
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).																																																																																																												
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																																																									
Total claims	- 20 =	0	x \$50.00																																																																																																									
Independent claims	- 3 =	0	x \$200.00																																																																																																									
MULTIPLE DEPENDENT CLAIMS (if applicable)		<input type="checkbox"/> +	\$360.00																																																																																																									
TOTAL OF ABOVE CALCULATIONS =																																																																																																												
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$	\$0.00																																																																																																									
SUBTOTAL =																																																																																																												
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).																																																																																																												
TOTAL NATIONAL FEE =																																																																																																												
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property		\$	\$0.00																																																																																																									
TOTAL FEES ENCLOSED =																																																																																																												
			Amount to be																																																																																																									
			\$																																																																																																									
			Amount to be																																																																																																									
			\$																																																																																																									

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1728. A duplicate copy of this sheet is enclosed.

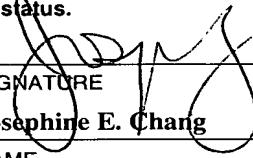
d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

JOSEPHINE E. CHANG
Christie, Parker & Hale, LLP
P.O. Box 7068
Pasadena, California 91109-7068

SIGNATURE


Josephine E. Chang

NAME

46,083

REGISTRATION NUMBER

December 13, 2006

DATE

Express Mail No. EV 822344852 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Mario Gerla	Confirmation No.3983
Application No.	:	10/550,806	
Filed	:	September 23, 2005	
Title	:	METHOD AND APPARATUS FOR IMPROVED DATA TRANSMISSION	
Grp./Div.	:	Not yet assigned	
Examiner	:	Not yet assigned	
Docket No.	:	51990/R268	

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
December 13, 2006

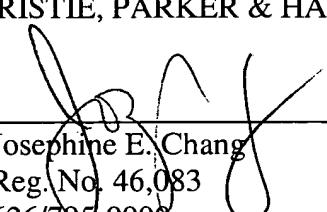
Commissioner:

In response to the Notification of Defection Response dated November 13, 2006, enclosed is an executed Declaration and Power of Attorney that complies with 37 CFR 1.497(a) and(b).

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by or to give effect to this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By


Josephine E. Chang
Reg. No. 46,083
626/795-9900

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

① JDC ② SEC

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,806	Mario Gerla	51990/JEC/R268

INTERNATIONAL APPLICATION NO.

PCT/US04/09645

I.A. FILING DATE	PRIORITY DATE
03/29/2004	03/29/2003

23363
 CHRISTIE, PARKER & HALE, LLP
 PO BOX 7068
 PASADENA, CA 91109-7068

RECEIVED

NOV 15 2006

CHRISTIE, PARKER & HALE, LLP

CASE # 51990 ACTION Response due
 REMINDER _____ DUE DATE 12/13/06
 DEADLINE _____
 Date Mailed: 11/13/2006

CONFIRMATION NO. 3983

371 FORMALITIES LETTER



OC000000021197900

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/23/2005
- Copy of the International Search Report filed on 09/23/2005
- Preliminary Amendments filed on 09/23/2005
- Oath or Declaration filed on 08/23/2006
- Request for Immediate Examination filed on 09/23/2005
- U.S. Basic National Fees filed on 09/23/2005
- Assignment filed on 08/23/2006
- Priority Documents filed on 09/23/2005
- Power of Attorney filed on 09/23/2005
- Specification filed on 09/23/2005
- Claims filed on 09/23/2005
- Abstracts filed on 09/23/2005
- Drawings filed on 09/23/2005

Applicant's response filed 08/23/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/30/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - "Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration." See MPEP 201.03(II)(B) There are three copies of page three, three copies of page four and two copies of page five.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,806	PCT/US04/09645	51990/JEC/R268

FORM PCT/DO/EO/916 (371 Formalities Notice)